

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION**

CIVIL ACTION NO.:

DONALD NEWELL

Plaintiff(s),

v.

JASON B. JOHNSON and
DOS HIJAS TRUCKING, LLC

Defendant(s).

**PLAINTIFFS' ANSWERS TO LOCAL
RULE 26.01 INTERROGATORIES**

TO: THE UNITED STATES COURT:

Under the provisions of Local Rule 26.01, Plaintiff Calvin Jones and Plaintiff Grace M. Tolliver, respond to the Court's Rule 26.01 Interrogatories as follows:

A. State the full name, address and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

ANSWER: Plaintiffs are unaware of any subrogation interest in this claim at this time.

B. As to each claim, state whether it should be tried jury or non-jury and why.

ANSWER: The Plaintiffs asserts that this case should be tried jury.

C. State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

ANSWER: The Plaintiff, Donald Newell is an individual.

D. State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

ANSWER: The Spartanburg Division of the District of South Carolina is the appropriate division as it encompasses the region where the incident giving rise to this action occurred. Namely, the alleged wreck, which is the subject of this lawsuit, occurred in Cherokee County.

E. Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical translations, happenings or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.¹

ANSWER: Plaintiffs are not aware of any related case pending in the District of South Carolina.

F. If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

ANSWER: N/A, per Local Rule 26.01 this interrogatory applies to defendants only.

G. If you contend that some other person of legal entity is, in whole or in part, liable

to you or the other party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

ANSWER: N/A, per Local Rule 26.01 this interrogatory applies to defendants only.

H. In an action in which jurisdiction is based on diversity under 28 U.S.C SS 1332(a), a party or intervenor must, unless the Court orders otherwise, name – and identify the citizenship of – every individual or entity whose citizenship is attributed to the party or intervenor. This response must be supplemented when any later even occurs that could affect the court’s jurisdiction under SS 1332(a).

ANSWER: Plaintiff, Donald Newell is a citizen and resident of Spartanburg County of the State of South Carolina.

Respectfully submitted,

MORGAN & MORGAN P.A.

/s/ James G. Biggart II

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May 19, 2025
Charleston, South Carolina